

**SPECIAL MEETING  
BOARD OF MAYOR AND ALDERMEN  
(PUBLIC HEARING-REZONINGS)**

**January 13, 2004**

**7:00 PM**

Mayor Baines called the meeting to order.

The Clerk called the roll.

Present: Aldermen Roy, Gatsas, Guinta, Sysyn, Osborne, Porter, O’Neil, Lopez, Shea, DeVries, Garrity, Smith, Thibault, and Forest

Mayor Baines advised that the purpose of the special meeting is to hear those wishing to speak in favor of or in opposition to proposed Zoning Ordinance changes; that the Clerk will present the proposed Zoning Ordinance changes for discussion at which time those wishing to speak in favor will be heard, followed by those wishing to speak in opposition; that anyone wishing to speak must first step to the nearest microphone when recognized and recite his/her name and address in a clear, loud voice for the record, that each person will be given only one opportunity to speak; and any questions must be directed to the Chair.

The Clerk presented the first proposed Zoning Ordinance changes:

“Amending the Zoning Ordinance of the City of Manchester by amending Section 5.10 ‘Table of Principal uses’ by allowing ‘Single-family attached (townhouse) dwellings’ (Item A,2) as a permitted use within CBD district (Central Business District).”

“Amending the Zoning Ordinance of the City of Manchester by changing the allowed density of multi-family housing in the Central Business District under ‘Minimum Additional Lot Area for each Unit after the first three units’ from 1,000 square feet to 500 square feet.”

Mr. Robert MacKenzie stated I am going to use a Powerpoint presentation. These first two amendments affect the zoning district called the CBD, the Central Business District, and I did want to show the Board the general boundaries of that district. These changes to some extent stem from the proposed residential development near the baseball stadium but the changes do affect and are recommended for the entire Central Business District. The CBD on the northerly end is bounded by West North Street. It does follow much of the commercial area in the downtown. It’s furthest easterly extent is Union Street. It goes down southerly. This is Valley Street right here. The furthest southern tip is the trestle bridge at the end of the project. It also jogs in and out. This is the millyard area and that is not part of the Central Business zoning district. That is zoned separately. The two changes proposed tonight relate to residential development. Again when we were reviewing plans for the residential development there were questions related to townhouses and the density allowed. Both of those changes were a result of the new rezoning ordinance back in 2001. Prior to that time there was no maximum density for housing in the downtown. Basically you were

allowed as many units as you could fit on the lot. The new ordinance did specify a minimum of 1,000 square feet of buildable area per unit. There has been no development since the ordinance passed. The last major residential project in the downtown was Wall Street Towers. We did take that under consideration and we looked at that issue, both that one as well as allowing townhouse dwellings. Townhouse dwellings are allowed in the arena overlay district and I would note that an arena overlay district covers part of the CBD. It covers generally this part of the CBD around the arena. The Board, as part of the overlay ordinance, did allow townhouses within that overlay area. So the proposal here is to allow townhouses in the downtown in the entire district and, in fact, the developer is proposing townhouses on a portion of the site. We feel generally that they should be allowed in the downtown. They can be a good housing source and there are probably a few locations within the CBD, which they would be suitable for. The second amendment for the CBD relates to the lot area. Again, before 2001 there were no minimum or maximum density requirements. We believe reducing it down to 500 square feet per unit, which is allowed for certain senior housing projects up and down the river area, is probably reasonable. We did compare it against Wall Street Towers as an example and 1,000 square feet was fairly restrictive. The Wall Street as you see it now would not have been allowed. So again we believe in this case that a reduction to 500 square feet per unit would be reasonable. At this point I would be happy to answer any questions.

Alderman Thibault asked, Bob, aren't there many of those buildings that are vacant at this point along Elm Street and what is that street in the back. Is it Willow? Aren't many of those buildings empty now? They use to house plumbing companies and stuff and I guess some of those are closed now aren't they?

Mr. MacKenzie answered yes. A lot of the old buildings, particularly the second and third floors of those buildings, are vacant. Most of the first floors do have occupants but we see multiple uses being allowed in that area in the future and we would encourage mixed usage in that area.

Alderman Thibault asked and you are talking 500 square feet per unit.

Mr. MacKenzie answered in order to calculate how many dwelling units you can have in a multi-family building, right now we are proposing that for every 500 square feet of buildable area on a lot that you would be allowed to have one dwelling unit in that building.

Alderman Shea stated I have a couple of questions. One is, I am looking at the map, the revision for City owned parcel on Old Wellington Road and I am going to refer to that. If one were to review in our ordinances Article IV or Article 4.05 actually we have a zoning district and zoning maps. We also have the establishment and purposes of districts so that we both know that under base districts there are 16 different breakdowns in that area. I am going to refer to number 5, R-SM so that when we do something to change the zoning what

are we deleting in order to replace it with a future expansion of multiple use? Let me parenthetically add that when we change a certain section that could impact another section of our particular City. My concern in adjusting from 1,000 to 500 square feet we are also expanding this so that some developer can come in, for example on Candia Road or someplace like that and use this as a way of impacting on further petitions that they might raise. How would you respond to this?

Mr. MacKenzie responded we are not quite to the R-SM rezoning petitions yet. We haven't got to those particular ones tonight but I can respond related to these changes. That is why I did show you the map of the Central Business District because these changes would be allowed in that entire area but this is the only CBD district in the City so these changes would not affect anything out on Candia Road or to the north or south end or even to the west side. There is no CBD zoning in those areas.

Alderman Shea replied well I am referring to the comments that were made by the Planning Board members. They indicated in this particular section "map revision for City owned parcel on Old Wellington Road" and may I quote "this particular proposal generated a great deal of discussion. In general, the Board is supportive of the expansion of the R-SM district to include the entire City owned parcel, however, in addition to this map revision the Board feels that parcels on either side of this lot on the southeastern section of Old Wellington Road between 991 and Karatzas Avenue should also be rezoned from R-1A to R-SM. The Board feels that not including these parcels would make the request in map revision appear to be spot zoning." What my concern and I don't want to read the rest of this is that in doing one type of approval we then open ourselves up as a community for other types of situations to develop because of that. In other words, what I am trying to indicate is sometimes we say that it is only apropos to this section but yet by making the decision we are applying it to other unknown sections and someone takes advantage of this, which we know, and therefore we have already said well you can kind of use that as a way of granting this particular petition that they might have. That is my concern.

Mr. MacKenzie responded again we are not on the agenda item dealing with that Old Wellington Road site at the present time. There are four items. We are just on the first two of those, which deal with the Central Business District. We will be getting to the R-SM in just a minute.

Mayor Baines called for those wishing to speak in favor.

Robert Duval, Manchester stated:

I would just like to say that in particular with respect to the Riverfront Development these changes are appropriate because the land down there as you know is very restricted. In order to get the number of townhouses and the mix of townhouses and high-rise condominium uses that the developer wishes to get a couple of the townhouses did overlap onto the CBD

district. We discussed this with the Planning Department and this was consistent with their position that townhouses were appropriate in the CBD anyway. That solved that issue for us and secondly in the density situation considering that existing uses in the CBD, existing residential uses are more consistent with the 500 square feet then the 1,000 in the new ordinance, the Planning Department was also supportive of that request. Given the fact that it is useful in the first instance to this Riverfront Development and secondly is consistent with existing practice in the CBD and consistent with the Planning Department's own desires, I strongly encourage the Board to support these changes. Thank you.

Peter Rotch, Manchester stated:

I am a lawyer with the McLane law firm and I just briefly want to echo...I became involved in this zoning change in connection with the riverfront parcel as Bob Duval has just explained. However, in meeting with the Planning Department and with the Building Commissioner we discussed the zoning ordinance extensively with them and the proposal before you is really a minimum proposal that since the riverfront was also very consistent with the zoning of the CBD and in fact corrects an error or an oversight when the new zoning ordinance was passed that we need to encourage housing in the CBD this will encourage a greater density which has no adverse impact on the municipal services.

Mayor Baines called for those wishing to speak in opposition.

Billy Dodd, 181 Mammoth Road, Manchester stated:

Again, your hands are tied. If you do not pass this zoning change there will be big problems down on the riverfront development. Mr. MacKenzie brought up something that I have heard for the first time and that is that the smaller lot sizes of 500 feet after the first unit or something like that had something to do with elderly housing and apartments. Maybe that might be a stipulation that if you go to that smaller division of land that those apartments be allocated for elderly people. Otherwise, you are going to see the townhouses and what have you just springing up in any which fashion being sold to anybody. It seems like they are taking the unit of measurement that was for elderly housing and now they want to apply it across the board. You might want to ask some questions.

Alderman Shea stated point of order. Both Alderman DeVries and myself did not get a full agenda. We only got one page.

Deputy Clerk Johnson responded we have copies of the second page. Some of the Aldermen didn't get it.

Alderman Shea stated that would account for the fact that...

Mayor Baines interjected the same thing happened to the Mayor. I did not have the second page either.

The Clerk presented the second proposed Zoning Ordinance change:

“Amending the Zoning Ordinance of the City of Manchester by clarifying Section 4.01 Establishment and Purpose of Districts subsection (5) Residential Suburban Multifamily District (R-SM) by clarifying the purpose of the district and the minimum size.”

“Amending the Zoning Ordinance of the City of Manchester by extending the R-SM Zoning District to include the full extent of a parcel of land on Old Wellington Road (Map 645, Lot 10) currently zoned R-1A.”

Mayor Baines requested that Robert MacKenzie, Director of Planning, make a presentation.

Mr. MacKenzie stated this has two changes to it. One is to clarify the intent of the 10-acre limit and the other is to change the balance of zoning on the City parcel on Old Wellington Road. The first change I would like to talk about just briefly. When the R-SM zone was created it was residential suburban multi-family and there was concern that there would be small parcels throughout the City rezoned and that you would have a lot of infill of multi-family and single-family neighborhoods. So at that time it was created a 10-acre minimum to have as a zone so that in essence it would be big enough that you would have your own neighborhood and it would not be infill. So the intent of that ordinance and the original amendment was to make sure that you had at least 10 acres per R-SM zoning district. It was not the intent that if you wanted to add some to that original 10 acres that that also would have to be 10 acres. Unfortunately, the language in the zoning ordinance was not that clear and the City Solicitor ruled that you had to have 10 acres not just for the original zone but for every addition to it, which was not the intent. So this proposal clarifies the intent that you have to have at least a 10-acre zone in total to qualify for an R-SM. If you have 10 acres already, you can add smaller pieces because already it is a large enough zoning district to make a neighborhood. That is the intent of the first zoning provision. It does affect two projects in the City. It affects the Old Wellington Road rezoning, which I will talk about in just a second, as well as the proposed rezoning on Candia Road. You may remember that table for Board members that were here because they were extending an existing R-SM near the Eastgate Apartments but the addition did not have 10 acres so I did want to mention that that other proposal would also be affected. The second change would actually extend the R-SM zoning district. First I want to outline the City parcel that is called the Old Wellington Road parcel. It has frontage here on Old Wellington Road. This is I-93. This is Wellington Road. This is, you may be familiar with Karatzas Avenue. The City parcel is a 9.6-acre parcel that extends from Wellington Road back up the hill towards Sunset Ridge up to this point, around, down and back. Again, that is a 9.6-acre parcel. Currently most of the zoning and this is an error. I did this today. That should be R-SM instead of R-3 as well as this. Most of the City parcel is zoned R-SM. You can see that the area shaded in yellow here is already zoned that way. As part of the RFP to sell this property, the City said it would agree to petition...I don't think it said approve but petition for an extension to fully complete this parcel as an R-SM district so the parcel would have only one zoning and not be split by two. That is the essence of this requested zoning action. The Board had it in their original

proposal. There is a prospective purchaser for the site and in order to consummate that deal the Board would have to approve this. I do want to provide a comment that the Planning Board had. They did review this one and all of the four changes as part of our new rezoning process. They didn't necessarily as I understand it have a major issue with this but they felt that there should be some continuity in the zoning. In other words, if this part was going to be rezoned they felt that all of the properties on the south side of Old Wellington Road should also be rezoned to R-SM. That does comprise three parcels. One is there is I believe a single-family home on this property here. There is a small piece that is undeveloped that is attached to a larger parcel here and this is actually old City property that is attached to Stevens Park or was attached to Stevens Park before so changing the zoning would not really impact that area. The Board could not take an action on those comments as part of this rezoning. I would note that it would have to go to another hearing and I think the Board has the option of either taking an action on this piece and then bringing the rest forth or holding off on this rezoning until the balance could be considered. Again, I have not broached this issue. I have met with the neighborhood in the past with some of these issues but I have not broached with them the additional rezoning of these properties here. I would be happy to answer any questions of the Board.

Alderman DeVries stated I think there was an additional comment or at least discussion at the Planning Board level in regards to the traffic improvements that we had previously discussed at Lands and Buildings and that would be the extension into a signalized intersection. I realize that is not part of the discussion here tonight but I wanted it to be noted that the Planning Board is endorsing and recommending that that traffic improvement be made for this development. Is there any other action that would help further that cause?

Mr. MacKenzie responded we have supported in the past that if the City does sell this parcel and it is developed again working with the neighborhood we feel it is important to have a second means of access into this larger area where there are a lot of dwelling units. That can be done by extending Old Wellington Road up to a point that would tie into an existing signalized intersection here at Roy Drive. We have recommended in the past...I don't think the Board has acted on it but we have recommended that a portion of the sale proceeds of this property go towards that improvement.

Alderman DeVries replied I thought the Board had acted on a portion of the proceeds going towards traffic improvements.

Alderman Lopez stated yes - \$100,000.

Mayor Baines stated we can research that. Will the Clerk make a note of that please.

Alderman Roy stated my understanding is that this property here to the west is City owned. Those are both City owned properties?

Mr. MacKenzie responded yes it is all wetlands. It is not developable property.

Alderman Roy asked this area here is wet.

Mr. MacKenzie answered yes it is.

Alderman Lopez stated can I just clarify something so Carol knows where to look. It is under Lands and Buildings.

Alderman Porter stated the City has owned that property since what about 1969 as I recall when it was deeded to the City. 1965? I stand corrected. Now the City does have a Master Plan. I don't want to ask the question of why didn't because that is not appropriate but I would like to ask has this been considered in the past for rezoning? My concern is this. I recognize that that whole area of Sunset Ridge and correct me if I am wrong but that R-3 or whatever it should be is that Karatzas Avenue?

Mr. MacKenzie responded Karatzas Avenue is right here. This one is Eastern Avenue.

Alderman Porter asked but up above are single-family homes up on Bald Hill and all that.

Mr. MacKenzie answered yes.

Alderman Porter stated I recognize the fact that this area does lend itself to apartments. I don't have any issue with that. I guess the concern I have is that we tend to rezone upon the request of a developer and where does this fit in as far as a Master Plan for the City is concerned? I do believe that we have to take into consideration as it pointed out the people in Foxwood Circle and that end of Old Wellington Road that have been there for a long time and they certainly have to be considered when putting in any kind of a project that is going to increase the traffic. An increase of traffic is something that I think we have to deal with and we have to live with. I guess my concern is this. When was the last time the Master Plan was updated and presented to the Board to include properties like this?

Mr. MacKenzie responded the Master Plan was last updated in 1993. It is actually adopted under State law by the Planning Board, not by the Board of Mayor and Aldermen. It is a generalized plan. It talks about community facilities and natural resources. It does have a map called future land use but it is hard to pin down every particular property. For example, in this area the Master Plan indicates that this area as a block should be lower density and multi-family. In reviewing that I would say that this particular zoning is not necessarily inconsistent with it. It did show that this area and perhaps a larger area could be a business neighborhood core for the entire Wellington Road area but not all of the residents I am sure in this lower portion would agree that that would be the best route. So, this particular

rezoning I don't think is inconsistent with that land use plan. Again, we recognize after 10 years that it perhaps should be updated and we are trying to find ways to get the staff time to work on that.

Alderman Porter stated well we have a 10 year Master Plan, which I recognize can change in essence every year as you look at plans...you know it can be carried forward 10 years. If you look at it now you could have certain changes in the existing Master Plan that would go forward for 10 years. I think this is a continual updating process. If we are just saying as you need more help I guess that is a budgetary issue and I don't quarrel with that. I guess my only concern is this. That we tend to rezone based on requests from a developer and I think that this should be part of an ongoing Planning function when you have a substantial parcel of land in the middle of the City when land is at a premium. Now the other thing is before I would support this I would like to have a little more concrete information as to relieving the traffic. It is presently quite busy. What would you recommend be done either on the eastern end of Old Wellington Road or on the existing exit or entrance and egress as it stands?

Mayor Baines responded just to clarify tonight all we are doing is hearing public testimony and referring this to the Committee on Bills on Second Reading. That is all we are doing. We are not taking action tonight.

Alderman Porter asked would I be better off bringing this up at Bills on Second Reading.

Mayor Baines answered unless you don't want to go home tonight. That is really up to you.

Alderman Porter stated I just wanted to express my concerns.

Mayor Baines responded I just want to let everyone know that there is another process that this has to go through.

Mr. MacKenzie stated the quick answer is that I concur that traffic is a particular issue in this neighborhood, not just for speeding issues and traffic along Old Wellington Road but general capacity issues and getting out of this area. We did work with the Highway Department to come up with an option. They provided some cost estimates for those. Again, you haven't heard it before but we do have a package of traffic improvements that we would recommend that the Board fund out of some of the proceeds of the sale of the property. We will hopefully be bringing that to Bills on Second Reading.

Alderman Shea stated I think you heard my discussion before Bob about the base districts and so forth and you did make a passing reference to the fact, if I might add, concerning Candia Road. Could you elaborate a little bit about that because I think when a vote of the Committee on Bills on Second Reading is taken what impact would the approval of such a

rezoning have on that property, which was discussed about two months ago or a month ago under the previous Board?

Mr. MacKenzie responded it does not automatically change anything. If we change the 10-acre wording it doesn't automatically...any future changes still have to come to this Board. It would make it easier to add on to existing districts and we have probably eight different R-SM zones throughout the City. The one on Candia Road there is an existing district around Eastgate Apartments that is over 10 acres. The proposal would be to extend that zoning or add on a less than 10 acre piece to a parcel that I would call the Sundeen parcel but it is a vacant parcel with ledge on it directly on Candia Road. That is still tabled in Bills on Second Reading until there is some clarification on this particular issue. A vote on this 10-acre clarification would affect that zoning. As it stands now under the current interpretation by the Solicitor that particular rezoning on Candia Road and this particular expansion right here that is an extension of this much larger R-SM district, this could not proceed either. So, the primary implications are for this project and the Candia Road project.

Alderman Shea asked so just to clarify in my mind if the Bills on Second Reading members were to come back to this Board and approve this there would be implications for the Candia Road rezoning in terms of their being able to use this as a precedent in order to possibly gain the approval for the rezoning of that property.

Mr. MacKenzie answered yes.

Mayor Baines called for those wishing to speak in favor.

Dick Webster, Manchester Housing and Redevelopment Authority, Manchester stated:  
I just had a couple of comments in particular relating to the Old Wellington Road parcel. What I wanted to do was just to remind people that there is a dire need for housing and to point out our experience. Our experience is that we have over 5,000 people on our waiting list right now and the wait for those that qualify for housing is going to run anywhere from three quarters of a year to three years so anything we can do to alleviate that condition is something that we are anxious to support and we are especially interested in this site and the 90 units that we hope will be built there. That is really all I have to say. Thank you.

Mayor Baines called for those wishing to speak in opposition.

Tom Coughlin, 605 Old Wellington Road, Manchester stated:  
I think there has really been some good discussion so far tonight. Alderman Porter brought up a lot of the questions that are on the list that was distributed. I am not going to go through and rehash them all. You have them in front of you. I think there are a few major issues that we have. One is my understanding originally was we wanted to rezone Old Wellington because of a budget shortfall. Subsequent to that an article came out in the paper saying that

we no longer had that shortfall so I am not quite sure why we are still pursuing this unless we anticipate another budget shortfall. The second group of questions that I had really related to the bid process and it is actually called due process. I assume that most of the Aldermen know about due process. It is kind of what we are here for tonight. There was a legal notice that there was a rezoning on the table. My question really is why are we going through that process now and why wasn't that done originally for this property was even put up for consideration? I would really like to understand what the City's current land use policy is. I don't know if we have properly addressed that or documented that. It really seems kind of to be leaning towards spot zoning, which is what we talked about a little bit tonight. Whenever there is an issue or a particular piece of property currently when some developer needs to change or wants to change we are bending over backwards to meet his recommendation or his requirement. There is a whole host of questions that Mr. Porter raised on the Master Plan. I think we should really be addressing our Master Plan before we got to spot zoning. I would also like to understand what are the impact studies that the City has done. Not only are there traffic issues, which we talked about tonight but there are environmental and there is educational and City services. What is really the true cost of all of these services on the taxpayers? From my understanding this is going to be HUD money. What is the tax rate on this property going to be? Is it going to be at the current tax rate? Keeping that in mind what is the cumulative effect going to be on the taxpayers? Again that really gets into our policy on affordable housing. The prior gentleman spoke that we are in dire need of housing or affordable housing but isn't it really the taxpayers who are going to bear that cost? Isn't that going to put us into a deficit? I also would like to know...obviously this project was fast tracked and there was a very questionable bidding process and myself and the neighbors were not afforded proper due process. Is there a use it or lose it policy from HUD or from the developer's request on this? I would really like to understand what is happening behind the scenes on this. I can't take credit for this quote but I read it somewhere that the City's interest should be separate and different from the will of the developers and the arguments of their lawyers. I don't think this property should be rezoned until we have updated our City Master Plan and a financial situation warrants it. There were a couple of additional questions that I had based on the prior conversation. One is it appears that the developer or this property has already been selected as part of that fast track process. I don't know if all of the Aldermen are aware but he owns the adjacent land so will he be allowed to consolidate that and actually change the current plan of 90 units that is on the table? Will he now be able to put in 140 or 150 because of the domino effect that the change in zoning has on it? It almost sounds like if you can't beat them, join them. I don't understand what impact because I have a direct impact if this zoning change does happen. My property was highlighted so what does that mean for me?

Bill Clifford, 470 Old Wellington Road, Manchester stated:

I have been here before. I am here to voice my opposition to the zoning change. I think Alderman Porter said it directly. I think the zoning change is specifically to satisfy a developer. It has nothing to do with the Master Plan. I think the Master Plan should be

addressed first. As Alderman Shea stated what is to prevent any owner of any amount of property to come in once this precedent is set? Even though it is being done for one piece of property it will be a precedent and as I said what is to prevent anyone else from coming in and asking the same thing – private owners of land, not City land? I read an article in the paper on December 19 by members of the Planning Board who at that point indicated their opposition to this zoning change. In fact, one of the members of the Planning Board and I will read this, said “the condominiums would be less desirable for the few single family homes in the area.” He also said, “the Board should know more about the City’s Master Plan for the area before making a recommendation.” I understand that the Planning Board makes recommendations and the Board of Aldermen make the decisions, however, if you don’t listen to the Planning Board what is the sense of having them? Thank you.

Billy Dodd, 181 Mammoth Road, Manchester stated:

You all have a copy of the zoning book and it is very clear that the zoning ordinances in here that were voted on...it is very clear what ordinance Mr. MacKenzie is talking about in the expansion of the R-SM. Basically it is not the intent of this district to encourage in fill development with townhouse and multi-family structures on small parcels or sites, therefore, it is hereby established that an area of not less than 10 acres shall be considered as the minimum tract area required for the consideration of any future rezoning proposals that would create or expand an R-SM district. The intent is very clear there. In a letter that Mr. MacKenzie sent to your Board detailing Item 3 he talked about wanting to clarify the intent of that zoning district and on Item 4 he said “the Old Wellington Road site composes an area of 9.6 acres just east of I-93 and is City owned land. Most of the site is zoned R-SM while a small portion is R-1A. As part of the proposal to sell this property it is the obligation, I repeat the obligation of the Board to rezone the smaller portion so that the entire parcel will be R-SM.” Again, you have been led into a path where your hands are tied. If you don’t rezone that parcel your sale doesn’t go forward as your RFP was put out. You have heard about the Master Plan. Have you looked into it? I think this was a calculated move. If you look just below where that light blue section is coming down to the bottom of Old Wellington Road, that is City owned land. My question is the little portion that comes in right where Eastern Avenue and Old Wellington Road are, that little portion right there, is that City owned land? We know the bottom one is. Is the top one? Why weren’t they both included in this proposal? I think the reason it wasn’t included was because it would open up the bottom half of Old Wellington Road and Foxwood to be abutters and you might have a protest petition filed on this zoning hearing, which would completely change the number of Aldermen that would have to vote positive on this. I think that was a calculated move. What this does is it helps one developer, DASS Development, for this piece of property and the property on Candia Road. It is not right. It changes the zoning aspects for all of the other R-SM districts across the City. Lucas Road and South Mammoth Road abuts a large tract of industrial land. That industrial land can start to be eaten up just like it has off of East Industrial Park Drive. Up on Hackett Hill you have R-SM land. That can be eaten up if you pass this Item 3. Candia Road we have already hit that one. The Southern NH Planning

Commission...Mr. Thibault I think you had something to do with that or are still on it. What is Manchester's fair share of affordable housing for the regional planning needs? Have we met that? Do we need to create more? Are we creating a field of dreams where if we provide low-income affordable housing they will come and now our social services and schools go cuckoo? How many of these units of assisted living are currently within the City? Have we met our obligation? What is the tax base going to be on this piece of property? I would almost bet you dollar to donut that you might get some applications to fill in some wetlands up here. Your hands are being tied and you are being given a sweet deal here. Part of the proceeds from the sale of this land is going to go to putting in traffic signals or an extension of Old Wellington Road out onto Wellington Road again. Why isn't that in the City budget? Why are your hands tied to where you have to pass that to get a traffic light? It doesn't make any sense. The domino effect will happen. In all due respect and consideration of this proposal, I would have to ask in politeness that Mr. Gatsas abstain from voting due to his personal ties with part of DASS Development. It is not a conflict of interest as far as the City rules are written but it is too close of an interest. This is going to change everything across the whole City and it is being done at the request of a developer and not from a plan that somebody else came up with. I ask that you consider those comments.

Alderman Sysyn stated I just wanted to say that the Planning Board is not opposed to this rezoning. They were just hoping to add the small pieces into it. They are not opposed to the rezoning.

Dick Anagnost, Manchester NH stated:

I am not here to speak in favor of or against. My partner has already spoken in favor. I am just here to make some clarifications. The first one is DASS Development isn't involved in this parcel. The second one is in the purchase and sales agreement it calls for full taxes to be paid on the parcel once it is constructed. The third clarification I would like to make is that we did reach an agreement with all of the abutters, which was submitted for the record and they came out in support of the original sale of this property and the impact is limited to 90 units. The fourth clarification that I would like to make is the little parcel above the gray parcel is part of the parcel that I already own. If there are any other questions I would be happy to answer them.

Alderman Thibault asked did I just hear you say that in fact the assessed value of all of these new buildings will be assessed at the proper tax rate.

Mr. Anagnost answered yes.

Alderman DeVries stated I have one additional comment. There was comment earlier that this would allow you to automatically make changes to your existing apartments, the Sunset Ridge facilities, and I just wanted to hear from you. If there were any changes that were

entertained and I don't know if there are or not but is that activity that would have to go through full site plan review?

Mr. Anagnost responded yes there is but I just want to reiterate Alderman DeVries that we reached an agreement with the abutters that maximizes the density on this parcel in writing, which was submitted to the Board at 90 units so there can't be any more units than that put on it.

Alderman DeVries asked so the answer to that is clearly no.

Mr. Anagnost answered correct.

Alderman Thibault stated I have one more thing that I would like to get clarified here and the point was brought up just a few minutes ago. It is something that has been on my mind for a long time. In this area of Manchester have we met the low income or elderly property that we should as compared to some of the surrounding towns because it looks to me like many of the surrounding towns are sending their elderly and low income people to the City of Manchester. I want to know if, in fact, the City of Manchester has met it quota of this and if the surrounding towns have done so.

Mayor Baines responded I don't think anybody can answer. I have no evidence that anybody is sending anybody to Manchester. There is a need that the Housing Authority can document in terms of the number of people...we are going to bring this to a close because this is going to go to Bills on Second Reading. There is in fact a waiting list that was testified to. There is a critical shortage of workforce housing, affordable housing no matter how you address it in our City and in communities across the State.

Mayor Baines advised that all wishing to speak having been heard, the testimony presented will be referred to the Committee on Bills on Second Reading to be taken under advisement with reports to be made to the Board of Mayor and Aldermen.

This being a special meeting, no further business was presented and on motion of Alderman Sysyn, duly seconded by Alderman Forest it was voted to adjourn.

A True Record. Attest.

City Clerk